IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

Bail Appl..No. 2066 of 2007()

CRIME NO. 335 OF 1999 OF POOYAPPALLY POLICE STATION

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PETITIONER/ACCUSED

SASI, S/O. AYYAN,
NELLIVILA PUTHEN VEETTIL, NJARAKKADU DESOM,
PARAMKODU, ELAMADU VILLAGE, KOTTARAKKARA.

BY ADV. SRI.ALEXANDER GEORGE
SRI.DILIP MOHAN

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
THE DIRECTOR OF PUBLIC PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR,
POOYAPPALLY POLICE STATION, KOTTARAKKARA.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2066 of 2007

DATED: 04-04-2007

O R D E R

Petitioner who is the accused in Crime No. 335 of 1999 of Pooyappally Police Station for offences punishable under Section 55 (a) of the Abkari Act, seeks anticipatory bail.

2. Consequent on the non-appearance before the J.F.C.M.-II, Kottarakkara, the case against him was transferred to the Long Pending Case Register as L.P. 79/2001. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application within two weeks from today, the same shall be considered and disposed of by the Magistrate, preferably, on the same day on which it is filed. Until such consideration, the non-bailable warrants of arrest against the petitioner shall not be executed.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

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